

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

KENDALL CODY DALLAS,

Plaintiff,

v.

**MISSOURI DEPARTMENT OF FAMILY
SERVICES, et al.,**

Defendant.

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Case No. 6:21-cv-03065-MDH

ORDER

Before the Court is its own Order to Show Cause. (Doc. 32). Plaintiff filed his Complaint in the above-captioned case on April 15, 2021. (Doc. 8). Since then, Plaintiff has not filed or otherwise appeared in this matter. The Court granted a Motion to Dismiss Defendants Parsons and Smith on July 15, 2021, upon finding the Motion well taken, after no response to the motion from Plaintiff. (Doc. 24). A Motion to Dismiss Defendant Brady Musgrave was filed on August 17, 2021, to which Plaintiff has not responded. (Doc. 30). The Court finds this Motion well taken. On September 1, 2021, the Court ordered Plaintiff to show cause why this case should not be dismissed for failure to prosecute on or before September 15, 2021. Plaintiff was cautioned that the failure to respond would result in the dismissal of this action. Plaintiff has not responded to date.

Pursuant to Federal Rule of Civil Procedure 41(b), the court may dismiss an action for failure to prosecute or to comply with a court order. Plaintiff has not taken any action in this matter after filing the Complaint and executing service on three of the five named Defendants. Plaintiff likewise failed to respond to the Motions to Dismiss filed by these Defendants. Lastly, Plaintiff failed to comply with the Court's order to show cause as to why this case should not be dismissed. Therefore, the above-captioned case is **DISMISSED** with prejudice as to Defendants Parsons,

Smith, and Musgrave and **DISMISSED** without prejudice as to Defendants Missouri Department of Family Services and Brianna Shulis pursuant to Rule 41(b).

IT IS SO ORDERED.

Dated: September 16, 2021

/s/ Douglas Harpool
DOUGLAS HARPOOL
United States District Judge